



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$322,793.33).

MEETING DATE: August 2, 2006 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$316,180.92, and Various other cases being held by Outside Counsel in the amount of \$6,612.41.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; and Kronick, Moskovitz, Tiedemann & Girard for services incurred relative to the Environmental Abatement Program litigation, and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

183453.732

Matter No.	Invoice No.	Date	Description	Total Amount
8002	95866	5/30/2006	People v M&P Investments	52,768.77 (2,047.00)
8003	95868	5/30/2006	Hartford Insurance Coverage Litigat	85,337.78 (650.00)
8008	95867	5/30/2006	City of Lodi v. Envision Law Group	3,668.44
	13374	5/30/2006	Keith O'Brien/PES Environmental, In	2,264.84
	6235	05/30/06	Peter Krasnoff/West Environmental	2,440.00
				143,782.83

Folger Levin & Kahn - Invoices Distribution

183453.732

Matter No.	Invoice No.	Date	Description	Total Amount
8001	96372	06/30/06	General Advice/Envir. Issues	\$470.00
8002	96378	6/30/2006	People v M&P Investments	58,208.16
8003	96377	6/30/2006	Hartford Insurance Coverage Litigat	106,965.13
8008	96373	6/30/2006	City of Lodi v. Envision Law Group	5,742.30
	13486	6/30/2006	Keith O'Brien/PES Environmental, In	1,012.50
				172,398.09

APPROVED:

Blair King, City Manager

Kronick Moskowitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Total	Distribution	
				Amount	100351.732	183453.732
11233.001	226188	06/25/06	General advice	67.50	67.50	
11233.027	226188	06/25/06	Citizens for Open Govt.v.Col	1,516.50	1,516.50	
11233.029	226188	06/25/06	AT&T v. City of Lodi	1,259.91	1,259.91	
11233.030	226188	06/25/06	Water Supply Issues	3,768.50		3,768.50
				6,612.41	2,843.91	3,768.50

FISCAL IMPACT: Expenses in the amount of \$2,843,91 will be paid out of the General Fund with \$1,516.50 of that amount billed to Walmart for City's defense of the Lodi First and Citizens for Open Government litigation. The remaining expenses will be paid out of the Water Fund.


FUNDING AVAILABLE: Water Fund \$319,949.42
General Fund \$ 2,843.91

Approved:



Ruby Raiste, Interim Finance Director

Approved:



Stephen Schwabauer, City Attorney